

**Town of Lyme
August 10, 2016
Regular Monthly Meeting of the Town Board
6:30 P.M.**

Deputy Supervisor Donald Bourquin called tonight's meeting to order at 6:30 p.m.; opening with a Prayer and the Pledge of Allegiance.

Deputy Supervisor Bourquin asked for a Moment of Silence for longtime resident and employee of the Town, Richard Revelle who passed away suddenly July 21, 2016. Richard was very community oriented and has served on the Zoning Board of Appeals, Board of Assessment Review and the Lyme Central School Board of Education. He was also a very active member of the Chaumont #172 Masonic Lodge for 60 years.

Present at tonight's meeting: Deputy Supervisor Don Bourquin, Councilwomen Harris and Gosier, Councilman Villa, Assessor Marsha Barton, Highway Superintendent Pat Weston and approximately 15 others.

Privilege of the Floor

Phillip Fay – 10754 Duck Harbor Road, Chaumont – In June the Fay's attended the Town Board Meeting to bring the zoning violations on Duck Harbor Road to the Board's attention. At that time, the Town Board assured the Fay's that the situation was being addressed and the problem would be resolved.

Upon preparing to attend the July meeting Mr. Fay was informed by Clerk Wallace that the Zoning Officer had given the property owner an extension to remove the items in question.

Mr. Fay provided a FOIL request he had obtained from the Town Office that stated the property owner had until July 13, 2016 to have the junk cars and trailers removed. To date nothing has been done according to Mr. Fay.

Mr. Fay indicated that the debris on this property is an eye sore and he is concerned with the number of rodents it is attracting and also the situation is

affecting the value of his own property and he is requesting a reduction in his assessment of 30 percent.

Councilman Bourquin assured the Fays that the Town will proceed with legal action; “time has run out and we will take care of things immediately”.

Cathy Dillon – Would like to learn more about Article X. She wondered if the Town Board planned on proceeding with the wishes of the sixty percent of the residents who, when surveyed, stated they did not want industrial wind towers placed in the Town of Lyme. Does the Town Board plan to move forward with keeping within the Wind Law? Do the Town Board members feel a legal obligation to put their own wishes aside and stay within the wishes of the majority of the residents?

Don Metzger – Hoping the Town is working toward being a receiver of intervenor funding; we have a perfect legitimate right.

Don has several concerns with the high tension transmission lines that could run through the Town of Lyme. With the proposal of the transmission lines running along the DANC water line it could affect a large portion of his own property. He would like to see Iberdrola be more forth coming and transparent so he could have an idea of their intentions.

Cindy Grant – Clayton – Thanked the Town Board for their efforts and allowing her to speak. She also feels that Apex and Iberdrola representatives are not forth coming with information and they intentionally mislead people. Cindy has concerns with the transportation issues and feels the equipment, trucks and people on the roads will be a traffic hazard; residents will be subject to all that traffic and noise.

Councilman Villa spoke about Cindy’s concerns stating that our Wind Law is very specific and it does address roads; the wind companies would be held liable. The Town will watch carefully.

Dan also mentioned that Mr. Metzger’s point was well taken and the Town should look into the intervenor funding.

Councilman Villa voiced his concerns with how industrial wind would affect property values. Wolf Island recently experienced a drop of between 15 and 20 percent in their property values and the reduction is directly related to wind. Wind turbines would definitely have a negative effect on property values in the Town of Lyme.

Councilman Villa vowed that the Town would work hard and do what we can to follow our Law.

Superintendent Weston stated that any route to the South Shore Road on Point Peninsula is a Town road and we have jurisdiction over posting those roads.

Officer's Reports

Supervisor's Report – July 2016

Councilman Villa commented on the sales tax revenues for the first two quarters of 2016, feeling reassured of our current position with revenues being at 51% of what we have budgeted. He feels we must continue to be diligent in our spending and has concerns with the third quarter earnings.

RESOLUTION 2016 – 111: Motion by Councilman Villa and seconded by Councilwoman Gosier approving the July 2016 Supervisor's Report as submitted by Accountant Cathy Satterley. Four ayes. Motion carried.

Highway Superintendent's Report

RESOLUTION 2016 – 112: Motion by Councilman Villa and seconded by Councilwoman Harris allowing Lyme Central School to borrow the Towns soccer goals from the 12E Fields for the JV program. Four ayes. Motion carried.

RESOLUTION 2016 – 113: MOTION BY Councilwoman Gosier and seconded by Councilwoman Harris allowing Superintendent Weston to place "No Thru Truck Traffic" signs at each end of Academy Street in Three Mile Bay. The signs will be placed at Superintendent Weston's discretion. Four ayes. Motion carried.

RESOLUTION 2016 – 114: Motion by Councilman Villa and seconded by Councilwoman Harris approving the Agreement for the Expenditure of Highway Moneys between the Town of Lyme Highway Superintendent and the members of the Town Board Pursuant to the provisions of Section 284 of the Highway Law, the Town Board of the Town of Lyme agrees that moneys levied and collected in the Town for the repair and improvements of highways, and received from the State for State Aid for the repair and improvements of highways, shall be expended as follows:

- 1. GENERAL REPAIRS: The sum of \$37,239.00 shall be set aside to be expended for primary work and general repairs from 1.5 miles of Town Highway , including sluices, culverts and bridges having a span of less than five feet and boardwalks and renewals thereof,***
- 2. PERMANENT IMPROVEMENTS: The following sums shall be set aside to be expended for the permanent improvements of the Town Highways:***

(a) On the road commencing at South Shore Road, commonly referred to as "The Narrows" and leading northeast, a distance of 1.5 miles and there shall be expended not over the sum of \$37,239.00. Type ¾ - 59W; with a width of travel surface 12' and a thickness of 2".

All Town Board Members were in agreement and the Motion was carried.

<i>Deputy Supervisor Bourquin</i>	<i>Aye</i>
<i>Councilman Villa</i>	<i>Aye</i>
<i>Councilwoman Gosier</i>	<i>Aye</i>
<i>Councilwoman Harris</i>	<i>Aye</i>

Clerks' Report – July 2016

Total State, County and Local Revenues:	\$4,003.75
Local Shares Remitted:	\$3,772.34

Audit of the Bills

RESOLUTION 2016 – 115: Motion by Councilwoman Harris and seconded by Councilwoman Gosier approving Abstract #15 in the amount of \$3,501.08. Four ayes. Motion carried.

RESOLUTION 2016 – 116: Motion by Councilwoman Harris and seconded by Councilwoman Gosier approving Abstract #16 in the amount of \$80,868.15. Four ayes. Motion carried.

RESOLUTION 2016 – 117: Motion by Councilwoman Harris and seconded by Councilwoman Gosier approving the Minutes of the July 13, 2016 Regular Monthly Meeting of the Town Board as submitted by Clerk Wallace. Four ayes. Motion carried.

Committee Reports

Municipal Water Board Report – Marsha Barton

There have been two new water services added; with one being in Water District #4 and one in District #5.

Marsha spoke with Tom Ross of GYMO last week for an update on the Lance Development. Mr. Ross indicated that there had been an issue with the DOT but they expect it will be settled soon and the project will begin moving forward again.

The Municipal Water Board is expecting a request to extend Water District #4 to include Mike Gaffney and Stephen Hetzler's properties.

Marsha believes Bernier and Carr will have the sewer study completed soon.

RESOLUTION 2016 – 118: Motion by Councilman Villa and seconded by Councilwoman Harris approving a Water Service in District #5, located at 28518 Old Town Springs Road for Darius and Irena Vainauskas. Four ayes. Motion carried.

Dwight Goutremout – Water District #2 – New Service

RESOLUTION 2016 – 119: Motion by Councilman Bourquin and seconded by Councilwoman Gosier allowing Dwight Goutremout to hook up to the municipal water line in Water District #2, providing he places a meter pit and master meter located near the road. Four ayes. Motion carried.

Zoning Ordinance Update

RESOLUTION 2016 – 120: Motion by Councilwoman Gosier and seconded by Councilwoman Harris requesting the Planning Board to make recommended changes to the Town Zoning Ordinance, with the final version being sent to Attorney Gebo for his approval, upon authorization from Attorney Gebo it can then be discussed at the September 14, 2016 Town Board Meeting. Three ayes. One nay. Motion carried.

<i>Councilwoman Harris</i>	<i>Aye</i>
<i>Councilwoman Gosier</i>	<i>Aye.</i>
<i>Councilman Villa</i>	<i>Aye</i>
<i>Councilman Bourquin</i>	<i>Nay</i>

Councilman Bourquin was not in favor because he does not agree with the changes. He stated that the Law is not ready to send to the County as it is not in final form. The Law must be available to the public prior to having a Public Hearing on it. Councilman Bourquin feels there is a lot of “cleaning up” that needs to be done and the Zoning Map is not adequate at this time.

RESOLUTION 2016 – 121: Motion by Councilman Villa and seconded by Councilwoman Harris accepting the approved and recommended changes to the Youth Commission By-Laws dated June 28, 2016. Four ayes. Motion carried.

A full version of the Youth Commission By-Laws can be found in the following pages labeled ADDENDUM A – 8/10/16.

CEO/ZEO Report – Jim Millington

Building/Zoning Permits Issued:	13
Certificates of Occupancy Issued:	1
ZBA Referrals:	2
Site Visits and Inspections:	8

Permits Issued For:

Home or Cottage:	1
Garage/Barn:	6
Fence:	1
Other:	5

New Business

RESOLUTION 2016 – 122: Motion by Councilwoman Harris and seconded by Councilman Bourquin TABLING the Proposed Dog Control Agreement. Four ayes. Motion carried.

RESOLUTION 2016 – 123: Motion by Councilman Villa and seconded by Councilwoman Gosier authorizing Clerk to Supervisor, Robin Grovesteen to register the Town of Lyme requesting “Party Status” for the Galloo Island Wind Project. Four ayes. Motion carried.

RESOLUTION 2016 – 124: Motion by Councilman Villa and seconded by Councilwoman Harris authorizing Clerk to Supervisor, Robin Grovesteen to apply for the first round of funding on the Galloo Island Wind Project and the Horse Creek Wind Farm “Party Status” form. Four ayes. Motion carried.

Attorney Gebo arrived at tonight’s meeting at 8:07 p.m. The Town Board requested his presence for matters that required Mark’s guidance and expertise.

Councilman Bourquin recently attended an informational meeting in Syracuse that helped explain Article X and ways to move forward through the process. Other Towns faced with the possibility of dealing with the wind companies have contemplated joining forces with one another in hopes that unification would

give these small Towns the strength needed to fight against the State to help keep the wind situation under local control.

Attorney Gebo stated that the process regarding Article X would be challenging and very difficult.

Gunther Schaller suggested if the Town wants to “lock horns” with the State the residents should get involved. We do have means of opposing and fighting the system and we have a good Local Zoning Law in place.

Councilman Villa stated trying to go against the State on Article X is not viable and would be very expensive.

Councilwoman Gosier stated we have a strong Wind Law on the books and we should not jump into anything right now.

Flooring Bids

The Town has received two sealed bids for new flooring in response to a Request for Proposal placed in the Watertown Daily Times on July 20, 2016.

- 1) Hang Up Put Down Shop - \$6100.00
- 2) Northroute Development Corporation - \$6500.00

RESOLUTION 2016 – 125: Motion by Councilman Villa and seconded by Councilwoman Harris approving the bid from the Hang up Put Down Shop in the amount of \$6,100.00 for the installation of IVC LVT in the main office area of the Municipal Building. The estimate price includes removing the existing carpet and installing LVT and cove base. The product has a ten-year commercial warranty. Pat will have his crew move the furniture prior to the installation date. Four ayes. Motion carried.

RESOLUTION 2016 – 126: Motion by Councilman Villa and seconded by Councilwoman Harris approving the purchase of a CCTV NVR surveillance camera system for the Transfer Site. The purchase price of \$3,178.00 will include installation, 4 cameras, monitor and UPS. Four ayes. Motion carried.

RESOLUTION 2016 – 127: Motion by Councilman Villa and seconded by Councilwoman Harris approving the emergency purchase of a server in the amount of \$2,440.00 from our IT provider, Ben Rubacha. The price quote includes a Lenovo ThinkServer TD340, hard drives, server essentials, external HDD and eight hours of labor. Four ayes. Motion carried.

RESOLUTION 2016 – 128: Motion by Councilwoman Harris and seconded by Councilman Villa accepting the resignation of Planning Board Member Sue Warner with regrets. Four ayes. Motion carried.

RESOLUTION 2016 – 129: Motion by Councilwoman Harris and seconded by Councilman Villa authorizing the advertisement of a vacancy on the Town's Planning Board and also advertising for alternates on the Town Planning and Zoning Boards. Four ayes. Motion carried.

Fox Creek Cemetery – Julia Gosier

Councilwoman Gosier would like to pass a Resolution to do some stone repair in the Fox Creek Cemetery. The Cemetery is fairly large and is in need of a tremendous amount of work.

The Town Board would like to receive an estimate from Harry Wilson and know the magnitude of the work that needs to be done prior to approval of funds for the project.

Property Acquisition – Magee Property

Councilman Villa asked Attorney Gebo if the Town could acquire real property under a land contract.

Attorney Gebo stated that there are limited ways a Municipality can borrow money, a land contract not being one of them. He suggested a bond, they have a lower interest rate.

It was also asked if the Town could have a fund raiser to help with the purchase of the property and Attorney Gebo stated that the Town would not be allowed to solicit funds through the “fund raising” process.

Patrick Wolf – Point Salubrious questioned why the Town would be willing to spend more money on a piece of property than what the appraised value has shown.

Privilege of the Floor

Don Metzger stated that he is proud of what the Town has done in making the Wind Law but we cannot become complacent because we have a good law on the books. The PSC Siting Board could determine our Local Law overly burdensome and do away with our home rule. The Town has allowed wind turbines in a sensible, logical way. Don wanted to be sure we stay very aware and educated on what is happening with wind in Jefferson County.

Cathy Dillon asked with recognition of the majority of residents against big wind; will the Town Board do everything in its power as our legal representatives in the Town, to honor the wishes of its residents?

Councilman Villa reiterated that we have a Law on the books that we will uphold and follow. The Law does not eliminate wind turbines completely.

Gunther appreciates the fact that the Town will be applying for status, it puts us in the pipeline.

RESOLUTION 2016 – 130: Motion by Councilman Villa and seconded by Councilwoman Harris moving the Town Board into Executive Session at 9:10 p.m. to discuss property acquisition, and collective bargaining. Four ayes. Motion carried.

RESOLUTION 2016 – 131: Motion by Councilwoman Harris and seconded by Councilwoman Gosier moving the Town Board back into Open Session at 11:23 p.m. Four ayes. Motion carried.

Upon a Motion offered by Councilwoman Harris and seconded by Councilwoman Gosier the meeting was adjourned at 11:23 p.m. Four ayes. Motion carried.

Respectfully Submitted,

***Kim Wallace
Town Clerk***